

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ANTHONY BROWN, SR.,</b> Petitioner,  <b>v.</b>  <b>CAROLYN W. COLVIN,</b> Acting Commissioner of Social Security Defendant.	: : : : : : :	<b>CIVIL ACTION</b>  <b>No. 15-1218</b>
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**ORDER**

**AND NOW**, this 3<sup>rd</sup> day of October, 2016, upon consideration of Plaintiff's request for review and Defendant's response, and after careful review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart and the objections thereto, it is hereby **ORDERED** that:

1. The relief requested in Plaintiff's Motion for Summary Judgment and Request for Review (Doc. No. 9) is **DENIED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. Plaintiff's objections are **OVERRULED**<sup>1</sup>;

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<sup>1</sup> Claimant raises one objection to the Report and Recommendation. He argues that Magistrate Judge Hart erred by allowing the Administrative Law Judge's (ALJ) evaluation of the opinions of treating family physician, Joseph F. Cibriano, "to stand." Dr. Cibriano opined that Claimant was severely limited in his ability to carry, sit, stand, and walk due to obesity, low back pain, hypertension, frequent headaches, diabetes, and pancreatitis. The ALJ assigned no weight to the opinions of Dr. Cibriano. Magistrate Judge Hart reviewed Dr. Cibriano's opinions, as well as the opinions of four other doctors, observing "there is simply no record of treatment for headaches," no evidence of "any hospitalization for hypertension, or of any treatment beyond the prescription of Metropolol," and the absence of treatment by "physical therapy, steroid injections, or any other modality" for back pain. He also stated that the notes of the four other doctors established that Claimant's attacks of pancreatitis were linked to his alcohol abuse. Magistrate Judge Hart recommended Claimant's Request for Review be denied, concluding that the medical evidence supported the ALJ's conclusion that the limitations imposed by Dr. Copriano were excessive.

This Court's review of the Commissioner's decision to deny disability benefits is deferential. The Commissioner's decision must be affirmed if it is "supported by substantial

4. Judgment is entered in favor of Defendant Carolyn W. Colvin, Commissioner of Social Security; and
5. The Clerk of Court is directed to mark this case closed.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**  
**MITCHELL S. GOLDBERG, J.**

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evidence in the record.” Plummer v. Apfel, 186 F.3d 422, 427 (3d Cir. 1999); see also 42 U.S.C. § 405(g). I agree with Judge Hart that the ALJ’s findings are supported by substantial evidence in the record.